



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

MEMO ENDORSED

DIVISION OF REGIONAL OFFICES
WESTCHESTER REGIONAL OFFICE

November 5, 2021

Honorable Kenneth M. Karas
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *Ortiz v. Ciminelli et al., 7:19-cv-3571 (KMK)*

Dear Hon. J. Karas:

In this 42 U.S.C. § 1983 action, this Office represents Defendants T. Nelson (sued herein as R. Nelson), O. Wise, R. Cimminelli, and J. Lopez Castillo who are all employees of the New York State Department of Corrections and Community Supervision ("DOCCS"). In recent communications, Defendants responded to a request for discovery that was court endorsed by forwarding all discovery including a Notice of Deposition for 11/5/2021 at 9:30 a.m. The discovery was sent via UPS delivery to the address on the Court's docket, which Plaintiff provided on his release from prison. UPS returned the items to this Office on 11/3 because the address is not correct and not deliverable – citing the street number is incorrect. The items were sent under tracking number 1Z 0E9 949 1017 8573 to Rafael Ortiz 1727 E. 172nd Street Apt. 1 Bronx NY 10472; which is the same address on the docket.

Defendants ask that the Plaintiff be ordered to provide a correct mailing address where he can receive mail.

Plaintiff is obligated to provide a current mailing address to the Court and to opposing counsel. Failure to keep the Court updated with this address could result in dismissal of Plaintiff's case. Defense counsel is to mail this memo endorsement to the last known address of Plaintiff and certify this was done in a filing by 11/9/21.

Respectfully submitted,

J. Powers
Janice Powers, AAG

So Ordered.

[Signature]
11/5/21

Cc: Rafael Ortiz 1727 E. 172nd Street Apt. #1 Bronx, NY 10472